

OK TO ENTER: N.K./

4529-97323

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of : Simcha GENDELMAN

Serial No. : 10/577,610

Filed : September 25, 2006

For : PREPAID DEBIT CARD PROCESSING

Group Art Unit: 3691

Examiner: Virpi H. Kanervo

Hon. Commissioner of Patents and Trademarks
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

RESPONSE

The following is in response to the outstanding Office Action mailed November 10, 2009.

Listing of the Claims page 2

Remarks page 5

LISTING OF THE CLAIMS

1-10. (Cancelled)

11. (Previously Presented) A point of sale terminal comprising:

an input device operative to receive prepaid card identification indicia from a prepaid card issued to a customer by a prepaid card issuer, said prepaid card issuer having a credit card account; and

a processor, operative using said prepaid card identification indicia to identify a credit card number associated with said credit card account of said prepaid card issuer, said credit card number being different from said prepaid card identification indicia.

12. (Original) A point of sale terminal according to claim 11 and wherein said input device is a card reader.

13. (Original) A point of sale terminal according to claim 11 and wherein said input device is a keyboard.

14. (Previously Presented) A point of sale terminal according to claim 11 and wherein said processor is operative to verify validity of said prepaid card identification indicia prior to processing a transaction.

15. (Cancelled)

16. (Original) A point of sale terminal according to claim 11 and also comprising a communicator, operative to communicate said prepaid card identification indicia to a remote server to determine validity of said prepaid card.

17. (Previously Presented) A point of sale terminal according to claim 16 and wherein said remote server is operative to communicate information regarding a balance remaining on said prepaid card, via said communicator, to said terminal.

18. (Cancelled)

19. (Previously Presented) A point of sale terminal according to claim 11 and also comprising a storage device for storing said credit card number associated with said credit card account of said prepaid card issuer.

20. (Previously Presented) A point of sale terminal according to claim 11 and wherein said point of sale terminal receives, from a remote server, said credit card number associated with said credit card account of said prepaid card issuer.

21-22. (Cancelled)

23. (Previously Presented) A point of sale terminal according to claim 11 and wherein said point of sale terminal is operative to transmit information to a credit card transaction clearinghouse, said information including said credit card number associated with said credit card account.

24. (Previously Presented) A point of sale terminal according to claim 11 and wherein said credit card account is associated with a plurality of said prepaid cards.

25. (Previously Presented) A point of sale terminal according to claim 11 and wherein said processor is operative to enable said credit card number to be accessed at said point of sale terminal using said prepaid card identification indicia.

26. (Previously Presented) A point of sale terminal according to claim 11 and wherein said processor is operative to enable said credit card number to be identified at said point of sale terminal by accessing a lookup table based on said prepaid card identification indicia.

27. (Previously Presented) A point of sale terminal according to claim 16 and wherein said credit card number is stored at said remote server.
28. (Previously Presented) A point of sale terminal according to claim 16 and wherein said processor is operative to enable said credit card number to be accessed at said remote server using said prepaid card identification indicia.
29. (Previously Presented) A point of sale terminal according to claim 16 and wherein said processor is operative to identify said credit card number by sending said prepaid card identification indicia to a remote server which includes a lookup table.
30. (Previously Presented) A point of sale terminal according to claim 16 and wherein said validity of said prepaid card relates to balance information.

REMARKS

Applicant has carefully studied the outstanding Official Action. The present response is intended to be fully responsive to all points of rejection raised by the Examiner and is believed to place the application in condition for allowance. Favorable reconsideration and allowance of the application is respectfully requested.

The application as examined included claims 11 - 14, 16 - 17, 19 - 20 and 23 - 30. Claims 1 - 10, 15, 18 and 21 - 22 were previously cancelled. In the present response, all of the claims are unchanged.

Claims 11, 14, 20 and 23 - 25 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Knox (U.S. Published Patent Application No. 2002/0194122) in view of Koppel (U.S. Published Patent Application No. 2002/0026418) and further in view of Nhaissi (U.S. Published Patent Application No. 2005/0203835). Claim 26 stands rejected under 35 U.S.C. 103(a) as being unpatentable over Knox in view of Koppel, further in view of Nhaissi, and further in view of Meier (U.S. Published Patent Application No. 2003/0102376).

Claims 12 - 13, 16 – 17, 19, 27 - 28 and 30 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Knox in view of Koppel, further in view of Nhaissi, and further in view of Wu (U.S. Published Patent Application No. 2003/0046249). Claim 29 stands rejected under 35 U.S.C. 103(a) as being unpatentable over Knox in view of Koppel, further in view of Nhaissi, further in view of Wu, and further in view of Meier.

Knox describes a process for determining whether a prepaid card customer is credit worthy by analyzing deposits and purchases transactions associated with the account of the customer and advancing credit on prepaid card purchases in response to the determination of creditworthiness.

Koppel describes a method for providing pre-paid anonymous electronic debit cards compatible with an existing network of credit cards. As acknowledged by the Examiner, in contrast to the present claimed invention, Koppel does not show a credit card number being different from the identification indicia of the pre-paid card. As demonstrated in this response, contrary to that stated by the Examiner, this feature is

not shown or suggested by Nhaissi.

Nhaissi describes a method of pre-paid Internet access, including accessing the Internet using a prepaid account, which access deducts from a balance of said account and performing one or more activities while connected to the Internet.

Wu describes a prepaid card terminal connected via a global communications network to a remote central server adapted to store and maintain account data associated with a prepaid card. Meier describes a system for processing image data, corresponding to a scene, comprising an imaging device and an image reading instruction indicia.

The Examiner rejected claim 11 based on the combination of Knox, Koppel and Nhaissi. However, Applicant respectfully submits, as discussed below, that neither Knox nor Koppel nor Nhaissi, alone or in combination, show a Point of Sale (POS) terminal, including an input device operative to receive **prepaid card identifying indicia** from a prepaid card issued to a customer by a prepaid card issuer, where the prepaid card issuer has a credit card account, and a processor operative using the prepaid card identification indicia to identify a **credit card number associated with the credit card account of the prepaid card issuer**, where **the credit card number is different from the prepaid card identification indicia**, as recited in claim 11.

In the rejection of claim 11, the Examiner wrote: (Office Action, page 5)
“Knox in view of Koppel does not show said credit card number being different from said prepaid card identification indicia. Nhaissi shows said credit card number being different from said prepaid card identification indicia (Nhaissi, page 17, paragraph 276).”

Applicant respectfully disagrees with the Examiner’s characterization of the processor of Nhaissi.

Neither Knox, Koppel nor Nhaissi show or suggest the following italicized features of claim 11:

A point of sale terminal comprising:

an input device operative to receive prepaid card identification indicia from a prepaid card issued to a customer by a prepaid card issuer, *said prepaid card issuer having a credit card account; and*

a processor, operative using said prepaid card identification indicia to identify a credit card number associated with said credit card account of said prepaid card issuer, said credit card number being different from said prepaid card identification indicia.

This can be clearly seen from the following quotation taken from Nhaissi:

“Alternatively or additionally, a credit card may be used. In a preferred embodiment of the invention, **when a credit card is used to connect to the Internet, a virtual pre-paid card is created which includes only a small amount of access time/electronic money.** When this small amount is used up a user may recharge it at will. However, **there is no danger that a user's credit card number will be stolen, since it need never be provided on the Internet.** The virtual card may be transparent to the user, since it may be embedded in an electronic persona.” (Nhaissi, page 17, paragraph 276), (emphasis added)

As seen in the preceding quotation, Nhaissi shows creation of a virtual prepaid card using the **credit card account of the user**, not the **credit card account of the prepaid card issuer** as in the present invention. Information associated with the virtual prepaid card, rather than the credit card number of the user, is presented to the service provider. Consequently, the user's credit card is not processed through the credit card processing network. This is a totally different structure from that claimed in claim 11.

In contrast to the device recited in claim 11, in Nhaissi's system the credit card number is NOT “associated with the credit card account of the prepaid card issuer.”

The examiner stresses the anonymity features and benefits of the Nhaissi system. The present invention as described in the specification and set forth in the

claims does not address issues of anonymity and preservation of anonymity is irrelevant to the claimed invention.

The point of sale terminal of the present invention, as recited in claim 11, provides for simplified transaction processing for prepaid cards and obviates the need to establish a proprietary financial processing system for processing prepaid cards bearing identifying indicia, known and recognizable by that proprietary system, where the identifying indicia may not be recognizable by the existing credit card processing network.

The point of sale terminal of the present invention, as recited in claim 11, enables a prepaid card issuer to utilize the existing credit card processing network to process prepaid card transactions, even when the prepaid card identifying indicia is different from the credit card number.

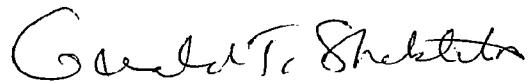
Applicant therefore respectfully submits that none of the cited prior art, alone or in combination, shows or suggests a point of sale terminal including, inter alia, a processor operative to identify **a credit card number associated with a credit card account of a prepaid card issuer, where the credit card number is different from the prepaid card identification indicia**, as recited in claim 11 and that claim 11 is patentable.

Claims 12 - 14, 16 - 17, 19 - 20 and 23 - 30 each depend directly or ultimately from claim 11 and are allowable.

Applicant reserves the right to pursue the claims as filed in the context of a continuation application.

In view of the foregoing remarks, all of the claims are believed to be in condition for allowance. Favorable reconsideration and allowance of the application is respectfully requested.

Respectfully submitted,



Dated: 10 February 2010

Gerald T Shekleton
Reg. No. 27,466
Husch Blackwell Sanders Welsh & Katz
120 South Riverside Plaza, 22nd Floor
Chicago, Illinois 60606
Phone: (312) 655-1511
Fax: (312) 655-1501